

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete everything after the enacting clause and insert the
- 2 following:
- 3 SECTION 1. IC 3-5-4-1.9, AS ADDED BY P.L.164-2006,
- 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 UPON PASSAGE]: Sec. 1.9. **(a) This section does not apply to a**
- 6 **delinquent campaign finance filing received under IC 3-9.**
- 7 **(b) This section does not apply to an application for voter**
- 8 **registration received while registration is closed under IC 3-7.**
- 9 **(c) Except as otherwise provided in this title, the election division,**
- 10 **an election board, a circuit court clerk, a county voter registration**
- 11 **office, or any other official responsible for receiving a filing under this**
- 12 **title may not receive a filing that is offered to be filed after a deadline**
- 13 **for the filing provided by this title.**
- 14 SECTION 2. IC 3-5-4-7, AS AMENDED BY P.L.230-2005,
- 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 UPON PASSAGE]: Sec. 7. Except as otherwise provided in this title,
- 17 a reference to a federal statute or regulation in this title is a reference
- 18 to the statute or regulation as in effect January 1, ~~2005~~ **2009.**
- 19 SECTION 3. IC 3-6-3-6 IS AMENDED TO READ AS FOLLOWS
- 20 [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) After the state chairman
- 21 of a political party files a statement with the election division certifying
- 22 that the party's name has been changed in accordance with all
- 23 applicable party rules, a political party shall be known by the political
- 24 party's new name, and the party has all the rights it had under its former
- 25 name.
- 26 (b) If the state chairman of a political party files a statement under

subsubsection (a) after the printing of ballots for use at an election conducted under this title has begun, ~~the election division or the~~ election board responsible for printing the ballots is not required to alter the ballots to state the new name of the political party.

SECTION 4. IC 3-6-4.2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14. (a) Each year in which a general or municipal election is held, the election division shall call a meeting of all the members of the county election boards and the boards of registration to instruct them as to their duties under this title and federal law (including HAVA and NVRA). The election division may, but is not required to, call a meeting under this section during a year in which a general or a municipal election is not held.

(b) Each circuit court clerk shall attend a meeting called by the election division under this section.

(c) The codirectors of the election division shall set the time and place of the instructional meeting. In years in which a primary election is held, the election division:

- (1) may conduct the meeting before the first day of the year; and
- (2) shall conduct the meeting before primary election day.

The instructional meeting may not last for more than two (2) days.

(d) Each member of a county election board or board of registration and an individual who has been elected or selected to serve as circuit court clerk but has not yet begun serving in that office is entitled to receive all of the following **from the county general fund without appropriation**:

- (1) A per diem of twenty-four dollars (\$24) for attending the instructional meeting called by the election division under this section.
- (2) A mileage allowance at the state rate for the distance necessarily traveled in going and returning from the place of the instructional meeting called by the election division under this section.
- (3) Reimbursement for the payment of the instructional meeting registration fee. ~~from the county general fund without appropriation.~~
- (4) An allowance for lodging for each night preceding conference attendance equal to the lodging allowance provided to state employees in travel status.

SECTION 5. IC 3-6-6-39, AS AMENDED BY P.L.230-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 39. (a) The county election board by unanimous vote of the entire membership of the board may permit an individual who is not a voter to serve as any precinct election officer (other than inspector), or to assist a precinct election officer, if the individual satisfies all the following:

- (1) The individual is at least sixteen (16) years of age but not ~~more than seventeen (17)~~ **eighteen (18)** years of age **or older**.
- (2) The individual is a citizen of the United States.
- (3) The individual is a resident of the county.
- (4) The individual has a cumulative grade point average

equivalent to not less than 3.0 on a 4.0 scale.

(5) The individual has the written approval of the principal of the school the individual attends at the time of the appointment or, if the student is educated in the home, the approval of the individual responsible for the education of the student.

(6) The individual has the approval of the individual's parent or legal guardian.

(7) The individual has satisfactorily completed any training required by the county election board.

(8) The individual otherwise is eligible to serve as a precinct election officer under this chapter.

(b) An individual appointed to a precinct election office or assistant under this section:

(1) must serve in a nonpartisan manner in accordance with the standards developed by the Help America Vote Foundation under 36 U.S.C. 152602; and

(2) while serving as a precinct election officer or assistant:

(A) is not required to obtain an employment certificate under IC 20-33-3; and

(B) is not subject to the limitations on time and duration of employment under IC 20-33-3.

SECTION 6. IC 3-7-26.4-4, AS ADDED BY P.L.81-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The election division may provide parts and reports from the voter registration information from the computerized list for the purposes specified under IC 3-7-26.3-29. ~~However,~~

**(b) Except as otherwise provided in this section, the parts and reports provided under this section may not include information described under section 8 of this chapter.**

**(c) The parts and reports may contain the information described in section 8 of this chapter if:**

**(1) the part or report is to be provided to an entity that:**

**(A) is described in section 6 of this chapter; and**

**(B) has previously submitted an application to the election division and paid any required fee to obtain the complete compilation; or**

**(2) the part or report is a purely statistical compilation that:**

**(A) includes the information described in section 8 of this chapter; and**

**(B) does not include any information:**

**(i) concerning an individual voter; or**

**(ii) that would permit the identification of an individual voter as a result of providing the compilation.**

**(d) The parts and reports provided under this section may not include the complete Social Security number of any individual.**

SECTION 7. IC 3-7-27-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) As required under 42 U.S.C. 1973gg-6(i), a county voter registration office shall

retain records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of the voter registration list. These records include the following:

(1) Lists of names and addresses of voters who were sent notices under the voter list maintenance program.

(2) Information concerning whether a voter has responded to a notice described by subdivision (1) as of the date the inspection of the record is made.

(b) The county voter registration office shall retain the records described by this section for at least two (2) years. Except for records concerning declinations to register to vote or that indicate the identity of a voter registration agency where a person registered, the county voter registration office shall make the records available for public inspection and photocopying at a reasonable cost as provided in IC 5-14-3.

(c) In accordance with ~~IC 5-14-3-3(g)~~ **IC 5-14-3-3(h)** and notwithstanding any other statute, a county voter registration office shall, with regard to voter registration information concerning voters of the county on a computerized system, act in accordance with a nondiscriminatory uniform policy adopted by the county election board. The policy must either permit a person to duplicate or obtain a duplicate copy of a computer tape, computer disc, microfilm, or other similar record system that contains this voter registration information or not permit the person to duplicate or obtain a duplicate copy of the information.

(d) A person who requests computerized voter registration information under subsection (c) must provide a written statement that the person will not:

(1) use the information to solicit merchandise, goods, services, or subscriptions; or

(2) sell, loan, give away, or otherwise deliver the information obtained by the request to any other person;

for a purpose other than political activities or political fundraising activities.

(e) Publication of information obtained under subsection (d) in a news broadcast or newspaper is not prohibited.

SECTION 8. IC 3-7-28-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. ~~Not later than thirty (30) days after receipt of the reports of deceased individuals required under this article;~~ **(a)** Each circuit court clerk or board of **county voter registration office** shall send a list of the deceased persons whose registrations have been canceled to the following upon request:

(1) The county chairman of each major political party of the county.

(2) The chairman of the following:

(A) A bona fide political party of the county.

(B) An independent candidate's committee, if the candidate is on the ballot for the next election to be conducted in the

1 county.

2 **(b) A request filed under this section may state that the list is**  
 3 **to include only cancellations made by the county voter registration**  
 4 **office within a period specified in the request.**

5 SECTION 9. IC 3-7-28-13 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. ~~Not later than~~  
 7 ~~thirty (30) days after preparation of a list of disfranchised voters under~~  
 8 ~~this article; the circuit court clerk or board of~~ **(a) Each county voter**  
 9 **registration office shall send a notice list of disfranchised voters**  
 10 **whose registrations have been canceled** to the following upon  
 11 request:

12 (1) The county chairmen of the major political parties of the  
 13 county.

14 (2) The chairman of the following:

15 (A) A bona fide political party of the county.

16 (B) An independent candidate's committee, if the candidate  
 17 is on the ballot for the next general election to be conducted  
 18 in the county.

19 **(b) A request filed under this section may state that the list is**  
 20 **to include only cancellations made by the county voter registration**  
 21 **office within a period specified in the request.**

22 SECTION 10. IC 3-7-28-14 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. ~~The circuit~~  
 24 ~~court clerk or board of~~ **(a) Each county voter registration office** shall  
 25 provide a list of the names and addresses of all voters whose  
 26 registrations have been canceled under this article ~~not later than sixty~~  
 27 ~~(60) days before election day~~ to the following upon request:

28 (1) The county chairmen of the major political parties of the  
 29 county.

30 (2) The chairman of the following:

31 (A) A bona fide political party of the county.

32 (B) An independent candidate's committee participating in  
 33 a primary, general, or municipal election.

34 ~~After that date, upon request the clerk or board shall report~~  
 35 ~~cancellations daily and within forty-eight (48) hours after the day on~~  
 36 ~~which the cancellations were made, until election day.~~

37 **(b) A request filed under this section may state that the list is**  
 38 **to include only cancellations made by the county voter registration**  
 39 **office within a period specified in the request.**

40 SECTION 11. IC 3-7-33-4.5, AS AMENDED BY P.L.164-2006,  
 41 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 UPON PASSAGE]: Sec. 4.5. (a) Except as provided in subsection (b),  
 43 this section applies to an individual who:

44 (1) submits an application to register to vote by mail under  
 45 IC 3-7-22; and

46 (2) has not previously voted in:

47 (A) a general election in Indiana (or a special election for  
 48 federal office in Indiana); or

49 (B) a general election (or a special election for federal  
 50 office) in the county where the individual has submitted an

application under this chapter if a statewide voter registration system is not operational in accordance with the requirements of IC 3-7-26.3 and 42 U.S.C. 15483 on the date the application is was received by the county voter registration office after December 31, 2002, and before January 1, 2006.

(b) This section does not apply to an individual who complies with the requirements in any of the following:

(1) The individual submits an application to register to vote by mail under this chapter and includes with that mailing a copy of:

(A) a current and valid photo identification; or

(B) a current utility bill, bank statement, government check, paycheck, or government document;

that shows the name and residence address of the voter stated on the voter registration application.

(2) The individual submits an application to register to vote by mail under this chapter that includes:

(A) the individual's Indiana driver's license number; or

(B) the last four (4) digits of the individual's Social Security number;

and the county voter registration office or election division matches the information submitted by the applicant with an existing Indiana identification record bearing the same number, name, and date of birth set forth in the voter registration application.

(3) The individual is an absent uniformed services voter or overseas voter.

(4) The individual is entitled to vote other than in person under the federal Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)) due to a determination by the election division that a permanent or temporarily accessible polling place cannot be provided for the individual.

(5) The individual is entitled to vote other than in person under any other federal law.

(c) When a county voter registration office receives a voter registration application by mail, the office shall determine whether the applicant is subject to the requirements to provide additional documentation under this section and 42 U.S.C. 15483.

(d) As required by 42 U.S.C. 15483, a county voter registration office shall administer the requirements of this section in a uniform and nondiscriminatory manner.

(e) If the county voter registration office determines that the applicant:

(1) is not required to submit additional documentation under this section; or

(2) has provided the documentation required under this section;

the county voter registration office shall process the application in accordance with section 5 of this chapter.

(f) If the county voter registration office determines that the applicant is required to submit additional documentation under this

section and 42 U.S.C. 15483, the office shall process the application under section 5 of this chapter and, if the applicant is otherwise eligible to vote, add the information concerning this documentation to the voter's computerized registration entry under IC 3-7-27-20.2.

(g) The county voter registration office shall remove the notation described in subsection (f) after the voter votes in an election for a federal office.

SECTION 12. IC 3-7-34-7, AS AMENDED BY P.L.81-2005, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The county voter registration office shall certify to the NVRA official on an expedited basis a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles commission or a voter registration agency.

(b) The NVRA official shall notify the commission or agency that the commission or agency is required to supply the omitted information on an expedited basis to the county voter registration office. ~~following receipt of notice from the NVRA official:~~

SECTION 13. IC 3-7-36-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. ~~(a) The circuit court clerk or board of county voter~~ registration office shall process an absentee registration affidavit or form received from a voter described in section 1 of this chapter during the registration period or during the period beginning on the twenty-ninth day before the election and ending on the date that the clerk or board prepares the certified list under IC 3-7-29-1.

**(b) A properly completed voter registration application described in this section is subject to the same requirements that are applicable to a properly completed voter registration application from a voter described in section 1 of this chapter during the period ending on the twenty-ninth day before the election.**

SECTION 14. IC 3-7-40-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The local public officials (or plan commission under IC 36-7-4-405) responsible for:

- (1) naming or renaming streets;
- (2) numbering or renumbering lots or structures; and
- (3) converting rural route addresses to numbered addresses;

shall report the changes to the ~~circuit court clerk or board of county~~ voter registration office not later than the last day of the month following the month in which the change was made.

SECTION 15. IC 3-7-40-6, AS AMENDED BY P.L.164-2006, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. When notified by the NVRA official of a conversion from rural route addresses to numbered addresses under this chapter, the county voter registration office shall, as soon as practicable, amend

- ~~(1) the original affidavit filed by the voter to indicate the numbered address that replaces the rural route address on the affidavit; and~~

~~(2)~~ the entry for the voter in the computerized list under IC 3-7-26.3.

SECTION 16. IC 3-8-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2008 (RETROACTIVE)]: Sec. 10. **(a)** A petition required by section 8 of this chapter must be submitted to the **circuit court clerk or board of county voter registration office** during the period beginning January 1 of the year in which the primary election will be held and ending at noon seventy-seven (77) days before the primary election.

**(b) After the certification of a petition under this section, the county voter registration office may, upon the request of the candidate named in the petition, return the original petition to the candidate for filing with the secretary of state under section 5 of this chapter.**

SECTION 17. IC 3-8-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. **(a)** A petition required by section 2 of this chapter must be submitted to the county voter registration office during the period beginning January 1 of the year in which the primary election will be held and ending at noon ten (10) days before the final date for filing a declaration of candidacy under IC 3-8-2-4 for the primary election.

**(b) After the certification of a petition under this section, the county voter registration office may, upon the request of the candidate named in the petition, return the original petition to the candidate for filing under section 5 of this chapter.**

SECTION 18. IC 3-8-5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14. ~~(a)~~ A certificate of nomination **executed under section 13 of this chapter** must be signed before a person authorized to administer oaths and certify the following information:

(1) The name of the party, the town where the convention was held, the date of the convention, and the date of the town election.

~~(2) The name, residence, and office of each candidate that was nominated at the convention.~~

~~(3) That each candidate for town council resides in the ward for which the person is a candidate.~~

~~(4) That each candidate is a registered voter of the town and legally qualified to hold the office for which the person is a candidate.~~

~~(5)~~ **(2)** The title of the party that the candidates represent and the device by which the candidates may be designated on the ballots (a symbol to designate the party).

~~(6)~~ **(3)** The signature and residence address of the presiding officer and secretary of the convention.

~~(b) The certificate of nomination must be filed with the circuit court clerk of the county where the convention was held.~~

SECTION 19. IC 3-8-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A petition of nomination for an office filed under section 10 of this chapter must be



1 filed with and, except as provided in subsection (d), certified by the  
 2 person with whom a declaration of candidacy must be filed under  
 3 IC 3-8-2.

4 (b) The petition of nomination must be accompanied by the  
 5 following:

6 (1) The candidate's written consent to become a candidate.

7 (2) A statement that the candidate:

8 (A) is aware of the provisions of IC 3-9 regarding campaign  
 9 finance and the reporting of campaign contributions and  
 10 expenditures; and

11 (B) agrees to comply with the provisions of IC 3-9.

12 The candidate must separately sign the statement required by  
 13 this subdivision.

14 (3) If the candidate is subject to IC 3-9-1-5, a statement by the  
 15 candidate that the candidate has filed a campaign finance  
 16 statement of organization under IC 3-9-1-5 or is aware that the  
 17 candidate may be required to file a campaign finance statement  
 18 of organization not later than noon seven (7) days after the final  
 19 date for filing a petition for nomination under section 10 of this  
 20 chapter.

21 (4) If the candidate is subject to IC 3-9-1-5.5, a statement by the  
 22 candidate that the candidate is aware of the requirement to file  
 23 a campaign finance statement of organization under IC 3-9 after  
 24 the first of either of the following occurs:

25 (A) The candidate receives more than five hundred dollars  
 26 (\$500) in contributions.

27 (B) The candidate makes more than five hundred dollars  
 28 (\$500) in expenditures.

29 (5) A statement indicating whether or not each candidate:

30 (A) has been a candidate for state or local office in a  
 31 previous primary or general election; and

32 (B) has filed all reports required by IC 3-9-5-10 for all  
 33 previous candidacies.

34 (6) A statement that each candidate is legally qualified to hold  
 35 the office that the candidate seeks, including any applicable  
 36 residency requirements and restrictions on service due to a  
 37 criminal conviction.

38 (7) If the petition is filed with the secretary of state for an office  
 39 not elected by the electorate of the whole state, a statement  
 40 signed by the circuit court clerk of each county in the election  
 41 district of the office sought by the individual.

42 (8) Any statement of economic interests required under  
 43 IC 3-8-1-33.

44 (c) The statement required under subsection (b)(7) must:

45 (1) be certified by each circuit court clerk; and

46 (2) indicate the number of votes cast for secretary of state:

47 (A) at the last election for secretary of state; and

48 (B) in the part of the county included in the election district  
 49 of the office sought by the individual filing the petition.

50 (d) The person with whom the petition of nomination must be filed

under subsection (a) shall:

(1) determine whether a sufficient number of signatures as required by section 3 of this chapter have been obtained; and

(2) do one (1) of the following:

(A) If the petition includes a sufficient number of signatures, certify the petition.

(B) If the petition has an insufficient number of signatures, deny the certification.

(e) The secretary of state shall, by noon ~~August 20~~ **on the date specified under IC 3-8-7-16 for the certification of candidates and public questions by the election division:**

(1) certify; or

(2) deny certification under subsection (d) to;

each petition of nomination filed in the secretary of state's office to the appropriate county.

(f) The commission shall provide that the form of a petition of nomination includes the following information near the separate signature required by subsection (b)(2):

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(g) A candidate's consent to become a candidate must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the consent to become a candidate. If there is a difference between the name on the candidate's consent to become a candidate and the name on the candidate's voter registration record, the officer with whom the consent to become a candidate is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's consent to become a candidate.

(h) If the person with whom the petition was filed denies certification under subsection (d), the person shall notify the candidate immediately by certified mail.

(i) A candidate may contest the denial of certification under subsection (d) based on:

(1) the circuit court clerk's or board of registration's failure to certify, under section 8 of this chapter, qualified petitioners; or

(2) the determination described in subsection (d)(1);

using the procedure in IC 3-8-1-2 and section 14 of this chapter that applies to questions concerning the validity of a petition of nomination.

**SECTION 20. IC 3-8-7-11, AS AMENDED BY P.L.230-2005, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:** Sec. 11. (a) Except as provided in subsection (f), if a political party has filed a statement with the election division (or any of its predecessors) that the device selected by the political party be used to designate the candidates of the political party on the ballot for all elections throughout the state, the device must be used until:

(1) the device is changed in accordance with party rules; and

1 (2) a statement concerning the use of the new device is filed with  
2 the election division.

3 (b) Except as provided in subsection (c), the device may be any  
4 appropriate symbol.

5 (c) A political party or an independent candidate may not use **any**  
6 **of the following** as a device:

7 (1) A symbol that has previously been filed by a political party  
8 or candidate with the election division (or any of its  
9 predecessors).

10 (2) The coat of arms or seal of the state or of the United States.

11 (3) The national or state flag. ~~or~~

12 (4) Any other emblem common to the people.

13 (d) Not later than noon ~~August 20; before each general or~~  
14 ~~municipal election; on the date specified under section 16 of this~~  
15 **chapter for the certification of candidates and public questions by**  
16 **the election division**, the election division shall provide each county  
17 election board with a camera-ready copy of the device under which the  
18 candidates of the political party or the petitioner are to be listed so that  
19 ballots may be prepared using the best possible reproduction of the  
20 device.

21 (e) This subsection applies to a candidate or political party whose  
22 device is not filed with the election division under subsection (a) and  
23 is to be printed only on ballots to identify candidates for election to a  
24 local office. Not later than noon ~~August 20; on the date specified~~  
25 **under section 16 of this chapter for the certification of candidates**  
26 **and public questions by the election division**, the chairman of the  
27 political party or the petitioner of nomination shall file a camera-ready  
28 copy of the device under which the candidates of the political party or  
29 the petitioner are to be listed with the county election board of each  
30 county in which the name of the candidate or party will be placed on  
31 the ballot. The county election board shall provide the camera-ready  
32 copy of the device to the town election board of a town located wholly  
33 or partially within the county upon request by the town election board.

34 (f) If a copy of the device is not filed in accordance with  
35 subsection (a) or (e), or unless a device is designated in accordance  
36 with section 26 or 27 of this chapter, the county election board or town  
37 election board is not required to use any device to designate the list of  
38 candidates.

39 **(g) If a device is filed with the election division or an election**  
40 **board after the commencement of printing of ballots for use at an**  
41 **election conducted under this title, the election board responsible**  
42 **for printing the ballots is not required to alter the ballots to include**  
43 **the device filed under this subsection.**

44 SECTION 21. IC 3-8-7-25.5 IS AMENDED TO READ AS  
45 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25.5. (a) This  
46 section does not apply to the change of a candidate's name that occurs  
47 after absentee ballots have been printed bearing the candidate's name.

48 (b) A candidate who:

49 (1) is:

50 (A) nominated for election; or

- 1 (B) a candidate for nomination; and
- 2 (2) changed the candidate's legal name after:
  - 3 (A) the candidate has been nominated; or
  - 4 (B) the candidate has become a candidate for nomination;
- 5 shall file a statement setting forth the former and current legal name of
- 6 the candidate with the office where a declaration of candidacy or
- 7 certificate of nomination for the office is required to be filed. If the
- 8 final date and hour has not passed for filing a declaration of candidacy,
- 9 consent for nomination, or declaration of intent to be a write-in
- 10 candidate, the candidate must file the request for a change of name on
- 11 the form prescribed by the commission for the declaration or consent.
- 12 (c) The statement filed under subsection (b) must also indicate the
- 13 following:
  - 14 (1) That the candidate has previously filed a change of name
  - 15 request with a county voter registration office so that the name
  - 16 set forth in the statement is identical to the candidate's name on
  - 17 the county voter registration record.
  - 18 (2) How the candidate's legal name was changed.
- 19 (d) Upon the filing of the statement, ~~the election division~~ and each
- 20 county election board shall print the candidate's legal name on the
- 21 ballot as set forth in the statement.
- 22 SECTION 22. IC 3-9-1-12 IS AMENDED TO READ AS
- 23 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) A
- 24 committee may disband at any time in the manner prescribed by this
- 25 section.
- 26 (b) The commission or a county election board may
- 27 administratively disband a committee in the manner prescribed by this
- 28 section.
- 29 (c) The commission has exclusive jurisdiction to disband any of
- 30 the following:
  - 31 (1) A candidate's committee for state office.
  - 32 (2) A candidate's committee for legislative office.
  - 33 (3) A legislative caucus committee.
  - 34 (4) A political action committee that has filed a statement or
  - 35 report with the election division.
  - 36 (5) A regular party committee that has filed a statement or report
  - 37 with the election division.
- 38 (d) A county election board has exclusive jurisdiction to disband
- 39 any of the following:
  - 40 (1) A candidate's committee for a local office.
  - 41 (2) A candidate's committee for a school board office.
  - 42 (3) A political action committee that has filed a statement or
  - 43 report with the election board, unless the political action
  - 44 committee has also filed a report with the election division.
  - 45 (4) A regular party committee that has filed a statement or report
  - 46 with the election board, unless the regular party committee has
  - 47 also filed a report with the election division.
- 48 (e) The commission or a county election board may
- 49 administratively disband a committee in the following manner:
  - 50 (1) Not later than the last Friday of January of each year, the

1 election division or county election board shall review the list of  
 2 committees that have filed statements of organization with the  
 3 division or board under this article.

4 (2) If the election division or county election board determines  
 5 both of the following, the election division or county election  
 6 board may begin a proceeding before the commission or board  
 7 to administratively disband the committee:

8 (A) The committee has not filed any report of expenditures  
 9 during the previous three (3) calendar years.

10 (B) The committee last reported cash on hand in an amount  
 11 that does not exceed one thousand dollars (\$1,000), if the  
 12 committee filed a report under this article.

13 (3) The election division or county election board shall provide  
 14 notice of the proceeding by certified mail to the last known  
 15 address of the chairman and treasurer of the committee.

16 (4) The commission or board may issue an order  
 17 administratively dissolving the committee ~~and waiving any~~  
 18 ~~outstanding civil penalty previously imposed by the commission~~  
 19 ~~or board~~, if the commission or board makes the following  
 20 findings:

21 (A) There is no evidence that the committee continues to  
 22 receive contributions, make expenditures, or otherwise  
 23 function as a committee.

24 ~~(B) The prudent use of public resources makes further~~  
 25 ~~efforts to collect any outstanding civil penalty imposed~~  
 26 ~~against the committee wasteful or unjust.~~

27 ~~(C)~~ (B) According to the best evidence available to the  
 28 commission or board, the dissolution of the committee will  
 29 not impair any contract or impede the collection of a debt or  
 30 judgment by any person.

31 **(5) If the commission or board:**

32 (A) **administratively dissolves a committee under**  
 33 **subdivision (4); and**

34 (B) **finds that the prudent use of public resources makes**  
 35 **further efforts to collect any outstanding civil penalty**  
 36 **imposed against the committee to be wasteful or unjust;**  
 37 **the commission or board may also waive the outstanding**  
 38 **civil penalty previously imposed by the commission or board**  
 39 **against the committee.**

40 ~~(5)~~ (6) The election division shall arrange for the publication in  
 41 the Indiana Register of an order administratively disbanding a  
 42 committee. A county election board shall publish a notice under  
 43 IC 5-3-1 stating that the board has disbanded a committee under  
 44 this subsection. The notice must state the date of the order and  
 45 the name of the committee, but the board is not required to  
 46 publish the text of the order.

47 ~~(6)~~ (7) An order issued under this subsection takes effect  
 48 immediately upon its adoption, unless otherwise specified in the  
 49 order.

50 (f) If the chairman or treasurer of a committee wishes to disband

the committee, the committee must do either of the following:

(1) Give written notification of the dissolution and transfer a surplus of contributions less expenditures to any one (1) or a combination of the following:

(A) One (1) or more regular party committees.

(B) One (1) or more candidate's committees.

(C) The election division.

(D) An organization exempt from federal income taxation under Section 501 of the Internal Revenue Code.

(E) Contributors to the committee, on a pro rata basis.

(2) Use the surplus in any other manner permitted under IC 3-9-3-4.

(g) Except as provided in subsection (e) concerning the waiver of civil penalties, a dissolution or transfer of funds does not relieve the committee or the committee's members from **any**:

(1) **civil liability, including the liability of the committee's chairman or treasurer for the payment of any debts incurred by or on behalf of the committee; or**

(2) criminal liability.

SECTION 23. IC 3-10-1-31.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31.2. (a) This subsection does not apply if a recount or contest is being conducted in a county. The county voter registration office shall complete the updating of the registration record under section 31.1 of this chapter not later than sixty (60) days after election day.**

**(b) If a recount or contest is being conducted in a county, the county voter registration office shall complete the updating of the registration record under section 31.1 of this chapter not later than sixty (60) days after the completion of the recount or contest and the issuance of an order under IC 3-12-6-22.5, IC 3-12-8-17, IC 3-12-11-18, or IC 3-12-12-19.**

SECTION 24. IC 3-10-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) Whenever a proposed state constitutional amendment or other public question is submitted by the general assembly under Article 16 of the Constitution of the State of Indiana to the electorate of the state for a popular vote, the election division shall certify the public question to the county election board of each county.

(b) If the vote is to occur at a general election, the election division shall certify by noon ~~August 20 before the election~~ **on the date specified under IC 3-8-7-16 for the election division to certify candidates and other public questions for the general election ballot**. If a special election is to be held, the election division shall certify at least thirty (30) days before the election. Each county election board shall publish notice of the public question in accordance with IC 5-3-1.

SECTION 25. IC 3-11-1.5-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) If a proposed precinct establishment order includes a legal description of

a precinct with a boundary that follows the boundary of a municipality, state legislative district, or municipal legislative district, the order must include the following:

(1) A description in metes and bounds that identifies the boundary as that of a municipality, state legislative district, or municipal legislative district.

(2) A notation on the map of the precinct indicating that the boundary is that of a municipality, state legislative district, or municipal legislative district.

(b) If a proposed precinct establishment order described by section 9 of this chapter includes a legal description of a boundary that follows a visible feature, the order must include a description in metes and bounds **or a shape file** that identifies the visible feature that forms the boundary.

SECTION 26. IC 3-11-3-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. (a) If a new candidate is appointed or selected under IC 3-13-1 or IC 3-13-2 after the printing of ballots and before the election, the ~~election division or the election board~~ may print ballots containing the name of the new candidate.

(b) If the ~~election division or the~~ election board determines that printing ballots under subsection (a) would be uneconomical or impractical, the chairman or committee that made the appointment or selection shall provide to the ~~division or the~~ election board the number of pasters the ~~division or the~~ board determines to be necessary for all ballots to reflect the appointment or selection. Pastors may not be given to or received by any person except the ~~co-directors of the election division (or the~~ election board and the board's chairman.

(c) If a candidate entitled to be placed on the ballot changes the candidate's legal name after the printing of ballots and before the election, the candidate who has changed the candidate's legal name shall provide to the ~~election division or the~~ election board the number of pasters the ~~division or the~~ board determines to be necessary for all ballots to reflect the change of name. If a candidate declines to do so under this subsection, the ~~division or the~~ board is not required to reprint ballots to reflect the change of legal name.

SECTION 27. IC 3-11-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Applications may be made:

(1) in person;

(2) by fax transmission; ~~or~~

(3) by mail; ~~or~~

**(4) by electronic mail with a scanned image of the application and signature of the applicant, if transmitted by an overseas voter acting under section 6 of this chapter;**

on application forms furnished by the county election board or approved by the commission.

(b) Application forms shall:

~~(1) be furnished to all central committees in the county no later than:~~

(A) June 15, for a general election or a special election ordered under IC 3-12-8-17 or IC 3-12-11-18 following the primary election; or

(B) January 15, for a primary election or a special election ordered under IC 3-12-8-17 or IC 3-12-11-18 following the general election;

(2) (1) be:

(A) mailed; or

(B) transmitted by fax; or

**(C) transmitted by electronic mail with a scanned image of the application;**

upon request, to a voter applying by mail, by telephone, by **electronic mail**, or by fax; and

~~(3) (2)~~ be delivered to a voter in person who applies at the circuit court clerk's office.

(c) The county election board shall:

(1) accept; and

(2) transmit;

applications for absentee ballots under subsection (a) by fax **or electronic mail, if the county election board has access to a fax machine or electronic mail.** A county election board shall accept an application for an absentee ballot transmitted by fax even though the application is delivered to the county election board by a person other than the person submitting the application.

SECTION 28. IC 3-11-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. A voter shall vote at the polls for the precinct where the voter resides except when authorized to vote in another precinct under IC 3-10-10, IC 3-10-11, **or** IC 3-10-12. ~~or at a special voting poll under section 6.5 of this chapter.~~

SECTION 29. IC 3-11-8-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.1. (a) A county executive shall designate the polls for each precinct not less than twenty-nine (29) days before election day.

(b) The designation of a polling place under this section remains in effect until:

(1) the location of the polling place is altered by an order of the county executive or county election board under this chapter; or

(2) a precinct establishment order issued under IC 3-11-1.5:

(A) designates a new polling place location; or

(B) combines the existing precinct with another precinct established by the order.

~~(c) The county executive shall then file the report required by section 6.5 of this chapter concerning polls that are inaccessible to voters with disabilities.~~

SECTION 30. IC 3-11-8-3.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.2. (a) A county executive shall give ten (10) days notice of the place of voting in each precinct by publication in the manner prescribed by IC 5-3-1-4. The notice must include the following information:

~~(1) For each precinct,~~ **state** whether the polls are located in an



1 accessible facility.

2 (2) If special polling places are designated under section 6.5 of  
3 this chapter:

4 (A) the location of each special polling place; and

5 (B) the procedures for elderly voters and voters with  
6 disabilities to apply to vote at a special polling place.

7 (b) If it is necessary to change a place for voting after giving  
8 notice, notice of the change shall be given in the same manner.  
9 However, except as provided in subsection (c), a change may not be  
10 made within two (2) days before an election.

11 (c) If the county election board determines by a unanimous vote  
12 of the board's entire membership that the use of a polling place at an  
13 election would be dangerous or impossible, the county election board  
14 may order the relocation of the polling place during the final two (2)  
15 days before an election. The county election board shall give the best  
16 possible notice of this change to news media and the voters of the  
17 precinct. If an order is adopted under this subsection, the order expires  
18 after the election.

19 SECTION 31. IC 3-11-8-6 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. ~~Except as~~  
21 ~~provided in section 6.5 of this chapter,~~ The county executive shall  
22 locate the polls for each precinct in an accessible facility.

23 SECTION 32. IC 3-11-13-31.6 IS ADDED TO THE INDIANA  
24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
25 [EFFECTIVE UPON PASSAGE]: **Sec. 31.6. Whenever a ballot card**  
26 **voting system is used in a precinct and a ballot form prescribed by**  
27 **this title refers to a voting mark, the county election board shall**  
28 **approve voting instructions indicating that a specific type of**  
29 **marking device is employed on the system to indicate a vote.**

30 SECTION 33. IC 3-11-14-3.5, AS ADDED BY P.L.58-2005,  
31 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 UPON PASSAGE]: Sec. 3.5. (a) Each county election board shall have  
33 the names of all candidates for all elected offices, political party  
34 offices, and public questions printed on ballot labels for use in an  
35 electronic voting system as provided in this chapter.

36 (b) The county may:

37 (1) print all offices and public questions on a single ballot label;  
38 and

39 (2) include a ballot variation code to ensure that the proper  
40 version of a ballot label is used within a precinct.

41 (c) Each type of ballot label or paster must be of uniform size and  
42 of the same quality and color of paper (except as permitted under  
43 IC 3-10-1-17).

44 (d) The nominees of a political party or an independent candidate  
45 or independent ticket (described in IC 3-11-2-6) nominated by  
46 petitioners must be listed on the ballot label with the name and device  
47 set forth on the certification or petition. The circle containing the  
48 device may be of any size that permits a voter to readily identify the  
49 device. IC 3-11-2-5 applies if the certification or petition does not  
50 include a name or device, or if the same device is selected by two (2)

1 or more parties or petitioners.

2 (e) The ballot labels must list the offices on the general election  
3 ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.2,  
4 IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a)  
5 through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). Each  
6 office and public question may have a separate screen, or the offices  
7 and public questions may be listed in a continuous column either  
8 vertically or horizontally. However, school board offices, public  
9 questions concerning the retention of a justice or judge, local  
10 nonpartisan judicial offices, and local public questions shall be placed  
11 at the beginning of separate columns or pages.

12 (f) The name of each office must be printed in a uniform size in  
13 bold type. A statement reading substantially as follows must be placed  
14 immediately below the name of the office and above the name of the  
15 first candidate: "Vote for not more than (insert the number of  
16 candidates to be elected) candidate(s) for this office.".

17 (g) Below the name of the office and the statement required by  
18 subsection (f), the names of the candidates for each office must be  
19 grouped together in the following order:

20 (1) The major political party whose candidate received the  
21 highest number of votes in the county for secretary of state at the  
22 last election is listed first.

23 (2) The major political party whose candidate received the  
24 second highest number of votes in the county for secretary of  
25 state is listed second.

26 (3) All other political parties listed in the order that the parties'  
27 candidates for secretary of state finished in the last election are  
28 listed after the party listed in subdivision (2).

29 (4) If a political party did not have a candidate for secretary of  
30 state in the last election or a nominee is an independent  
31 candidate or independent ticket (described in IC 3-11-2-6), the  
32 party or candidate is listed after the parties described in  
33 subdivisions (1), (2), and (3).

34 (5) If more than one (1) political party or independent candidate  
35 or ticket described in subdivision (4) qualifies to be on the  
36 ballot, the parties, candidates, or tickets are listed in the order in  
37 which the party filed its petition of nomination under  
38 IC 3-8-6-12.

39 (6) A space for write-in voting is placed after the candidates  
40 listed in subdivisions (1) through (5), if required by law. **A space  
41 for write-in voting for an office is not required if there are no  
42 declared write-in candidates for that office. However,  
43 procedures must be implemented to permit write-in voting  
44 for candidates for federal offices.**

45 (7) The name of a write-in candidate may not be listed on the  
46 ballot.

47 (h) The names of the candidates grouped in the order established  
48 by subsection (g) must be printed in type with uniform capital letters  
49 and have a uniform space between each name. The name of the  
50 candidate's political party, or the word "Independent", if the:

- 1 (1) candidate; or
- 2 (2) ticket of candidates for:
  - 3 (A) President and Vice President of the United States; or
  - 4 (B) governor and lieutenant governor;
- 5 is independent, must be placed immediately below or beside the name
- 6 of the candidate and must be printed in uniform size and type.
- 7 (i) All the candidates of the same political party for election to
- 8 at-large seats on the fiscal or legislative body of a political subdivision
- 9 must be grouped together:
  - 10 (1) under the name of the office that the candidates are seeking;
  - 11 (2) in the party order established by subsection (g); and
  - 12 (3) within the political party, in alphabetical order according to
  - 13 surname.
- 14 A statement reading substantially as follows must be placed
- 15 immediately below the name of the office and above the name of the
- 16 first candidate: "Vote for not more than (insert the number of
- 17 candidates to be elected) candidate(s) of ANY party for this office.".
- 18 (j) Candidates for election to at-large seats on the governing body
- 19 of a school corporation must be grouped:
  - 20 (1) under the name of the office that the candidates are seeking;
  - 21 and
  - 22 (2) in alphabetical order according to surname.
- 23 A statement reading substantially as follows must be placed
- 24 immediately below the name of the office and above the name of the
- 25 first candidate: "Vote for not more than (insert the number of
- 26 candidates to be elected) candidate(s) for this office.".
- 27 (k) The cautionary statement described in IC 3-11-2-7 must be
- 28 placed at the top or beginning of the ballot label before the first office
- 29 is listed.
- 30 (l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(c), and
- 31 IC 3-11-2-10(d) may be:
  - 32 (1) placed on the ballot label; or
  - 33 (2) posted in a location within the voting booth that permits the
  - 34 voter to easily read the instructions.
- 35 (m) The ballot label must include a touch sensitive point or button
- 36 for voting a straight political party or independent ticket (described in
- 37 IC 3-11-2-6) by one (1) touch, and the touch sensitive point or button
- 38 must be identified by:
  - 39 (1) the name of the political party or independent ticket; and
  - 40 (2) immediately below or beside the political party's or
  - 41 independent ticket's name, the device of that party or ticket
  - 42 (described in IC 3-11-2-5).
- 43 The name and device of each party or ticket must be of uniform size
- 44 and type, and arranged in the order established by subsection (g) for
- 45 listing candidates under each office. The instructions described in
- 46 IC 3-11-2-10(b) for voting a straight party ticket and the statement
- 47 concerning presidential electors required under IC 3-10-4-3 may be
- 48 placed on the ballot label or in a location within the voting booth that
- 49 permits the voter to easily read the instructions.
- 50 (n) A public question must be in the form described in

IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

SECTION 34. IC 3-11-14-22.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 22.5. Whenever an electronic voting system is used in a precinct and a ballot form prescribed by this title refers to a voting mark, the county election board shall approve voting instructions indicating that a specific type of marking device is employed on the system to indicate a vote.**

SECTION 35. IC 3-11-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. Each application for certification of a voting system shall be accompanied by a fee of one thousand five hundred dollars (\$1,500). **All fees collected under this section shall be deposited with the treasurer of state in the voting system technical oversight program account established by IC 3-11-17-6.**

SECTION 36. IC 3-11-17-6, AS AMENDED BY P.L.3-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The voting system technical oversight program account is established with the state general fund to provide money for administering and enforcing IC 3-11-7, IC 3-11-7.5, IC 3-11-15, IC 3-11-16, and this chapter.

(b) The election division shall administer the account. With the approval of the budget agency, funds in the account are available to augment and supplement the funds appropriated to the election division for the purposes described in this section.

(c) The expenses of administering the account shall be paid from the money in the account.

(d) The account consists of the following:

(1) All civil penalties collected under this chapter.

(2) Fees collected under IC 3-11-15-4.

(3) Contributions to the account made in accordance with a settlement agreement executed with a voting system vendor.

(e) Money in the account at the end of a state fiscal year does not revert to the state general fund.

SECTION 37. IC 3-11-18-5, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except for a municipality

described in subsection (b), a plan must provide a vote center for use by voters residing in each municipality within the county conducting a municipal primary or a municipal election.

(b) ~~A vote center may not be used~~ In a municipal primary or municipal election conducted within a municipality that is partially located in a county that has ~~not~~ been designated a vote center pilot county, **a vote center may not be used by a voter who does not reside within that part of the municipality that is located in the county that has been designated a vote center pilot county.**

SECTION 38. IC 3-13-1-10.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10.5. (a) A person who wishes to be a candidate for appointment to fill a candidate vacancy under this chapter must file a declaration of candidacy on a form prescribed by the commission with:

- (1) the chairman of the caucus **or committee conducting a meeting under this chapter;** and
- (2) the official who is required to receive a certificate of candidate selection following the caucus under section 15 of this chapter;

at least seventy-two (72) hours before the time fixed for the caucus **or committee meeting.**

(b) A candidate's declaration of candidacy must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of candidacy. If there is a difference between the name on the candidate's declaration of candidacy and the name on the candidate's voter registration record, the officer with whom the declaration of candidacy is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

SECTION 39. IC 3-13-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. (a) At a meeting called under section 7 of this chapter, the eligible participants shall:

- (1) establish the ~~caucus~~ rules of procedure **for the caucus or meeting,** except as otherwise provided in this chapter; and
- (2) select, by a majority vote of those casting a vote for a candidate, a person to fill the candidate vacancy described in the call for the meeting.

(b) If more than one (1) person seeks to fill the vacancy, the selection shall be conducted by secret ballot.

SECTION 40. IC 3-13-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The state chairman **(or a person designated by the state chairman)** shall preside over a caucus meeting held under this chapter.

(b) A person who desires to be a candidate to fill a vacancy under this chapter must file:

- (1) a declaration of candidacy with the chairman of the caucus; and

(2) a statement of economic interests under IC 2-2.1-3-2 with the secretary of the senate or principal clerk of the house of representatives;  
at least seventy-two (72) hours before the time fixed for the caucus.

(c) In addition to the procedures prescribed by this chapter, the chairman and precinct committeemen may adopt rules of procedure that are necessary to conduct business.

SECTION 41. IC 9-24-2.5-6, AS AMENDED BY P.L.164-2006, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a)** A manager or an employee may use any of the following methods to transmit paper copies of voter registration applications under section 4 of this chapter:

(1) Hand delivery to the county voter registration office.

~~(2) Certified mail, return receipt requested.~~

**(2) Delivery by the United States Postal Service, using first class mail.**

**(b) A county voter registration office:**

**(1) shall process a voter registration application transmitted in electronic format from a license branch; and**

**(2) is not required to receive the paper copy of a voter registration application from a license branch before:**

**(A) approving or denying the application; and**

**(B) mailing a notice of approval or denial to the applicant.**

SECTION 42. IC 9-24-2.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. ~~(a)~~ The ~~co-directors of the~~ election division shall provide the commission with a list of the current addresses and telephone numbers of the offices of the ~~circuit court clerk or board of~~ **county voter registration office** in each county. The commission shall promptly forward the list and each revision of the list to each license branch.

~~(b) The co-directors of the election division shall provide the commission with pre-addressed packets for the commission to transmit applications under section 6(1) or 6(2) of this chapter.~~

SECTION 43. IC 36-2-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) The auditor may administer the following:

(1) Oaths necessary in the performance of the auditor's duties.

(2) The oath of office to an officer who receives the officer's certificate of appointment ~~or election~~ from the auditor.

(3) Oaths relating to the duty of an officer who receives the officer's certificate of appointment ~~or election~~ from the auditor.

(4) The oath of office to a member of the board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).

(b) The auditor may take acknowledgments of deeds and mortgages executed for the security of trust funds the auditor is required to lend.

SECTION 44. THE FOLLOWING ARE REPEALED [EFFECTIVE UPON PASSAGE]: IC 3-5-4-6; IC 3-11-8-6.5;

- 1 IC 3-11-11-1.5; IC 3-11-11-1.6.
- 2 SECTION 45. **An emergency is declared for this act.**  
(Reference is to SB 139 as introduced.)

**and when so amended that said bill be reassigned to the Senate Committee on Elections.**

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LONG, Chairperson